

REMARKS

The above claim amendments are submitted along with the following remarks to be fully responsive to the outstanding Final Office Action mailed June 1, 2004.

It is respectfully submitted that this response is timely filed within the three-month shortened statutory period and within two months of the mailing of the Final Office Action. Reconsideration of all outstanding grounds of objection and rejection and allowance of the subject application are respectfully requested.

By this amendment, all rejected and withdrawn claims have been canceled, leaving only claims 23 and 25-27 pending, which the Examiner indicated to be allowable. It is noted that claim 24 was indicated to be allowable in the text of the June 1, 2004 office action; however, claim 24 was previously withdrawn in a response dated February 23, 2004 and is therefore not pending in the present application. In addition, the rejections of claims 10, 11, and 15-22 under 35 U.S.C. §§ 102 and/or 103 are deemed moot because those claims have been canceled by the present amendment.

Applicants note that although a Response to Notice of Non-Compliant Amendment was filed on March 19, 2004, the Office Action Summary dated June 1, 2004 indicates that that document is responsive to the communication(s) filed on February 23, 2004. Thus, the claims as presented and/or pending in the February 23, 2004 are believed to be the proper claims for consideration, which claims are presented above. In a telephone conference with Applicant's representative on August 2, 2004, Examiner Philogene confirmed that this reliance on the on the February 23, 2004 claim status was proper.

Accordingly, allowance of this application with the pending claims 23 and 25-27 is believed proper and respectfully requested. The Examiner is invited to contact the undersigned, at the Examiner's convenience, should the Examiner have any questions regarding this communication or the present patent application.

It is believed that no other fee is required in filing this Amendment. However, if any fee is required, the Commissioner is authorized to charge any additional fees or credit any overpayment to Kagan Binder Deposit Account No. 50-1775 and notify us of the same.

Respectfully Submitted,

By:



Michael A. Hakamaki, Reg. No. 40,011



33072

PATENT TRADEMARK OFFICE

Phone: 651-275-9839

Facsimile: 651-351-2954

Dated: August 2, 2004

MAH/13835